

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-31547 - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0038-95), if approved.
2. This Special Use Permit shall be placed on an agenda closest to November 17, 2011 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0038-95) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of an approved Special Use Permit (U-0038-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 North Rancho Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/26/75	The Board of Zoning Adjustment approved a request for a Variance (V-0026-75) to allow a mobile home to be used as a caretaker's residence for the Hilltop House Restaurant on property located at 3400 Rancho Drive.
05/17/95	The City Council approved a request for a Special Use Permit (U-0038-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 North Rancho Drive. The Board of Zoning Adjustment recommended approval on 04/25/95.
07/05/00	The City Council approved a request for a Required Review [U-0038-95(1)] on an approved Special Use Permit (U-0038-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 North Rancho Drive. The Planning Commission recommended approval on 05/25/00.
10/16/02	The City Council approved a request for a Required Review [U-0038-95(2)] on an approved Special Use Permit (U-0038-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 North Rancho Drive. The Planning Commission recommended approval on 09/12/02.
04/02/03	The City Council approved a request for Rezoning (ZON-1364) from C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential Mobile/Manufactured Home Park), and U (Undeveloped) to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E Residence Estates), R-1 (Single Family Residential) and U (Undeveloped) on property located on or in close proximity to both sides of Rancho Drive from Gowan Road to the northern City limits at Moccasin Road. The Planning Commission recommended approval on 02/27/03.
10/01/03	The City Council approved a request for a Rezoning (ZON-2526) from C-2 (General Commercial) and R-E (Residence Estates) to C-2 (General Commercial), C-1 (Limited Commercial), N-S (Neighborhood Services), O (Office), C-V (Civic) and R-E (Residence Estates) on property on or in close proximity to both sides of Rancho Drive from Cheyenne Avenue to Gowan Road. The Planning Commission recommended approval on 08/28/03.

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09/07/04	A Code Enforcement case (21294) was processed for an old refrigerator, junk, inoperative vehicles at 3500 North Rancho Drive. The case was closed on 09/10/04.
09/21/04	The Code Enforcement case (21844) was processed for a parcel filled with miscellaneous refuse, junk, and vehicles at 3500 North Rancho Drive. The case was closed on 01/07/05.
11/17/04	The City Council approved a request for a Required Review (RQR-5167) of an approved Special Use Permit (U-0038-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 North Rancho Drive. The Planning Commission recommended approval on 10/21/04.
02/17/05	A Code Enforcement case (26145) was processed to check for all violations at 3500 North Rancho Drive. The case was closed on 06/20/05.
06/29/08	A Code Enforcement case (67169) was processed for abandoned building at 3500 North Rancho Drive. The case was closed on 08/06/08.
<i>Related Building Permits/Business Licenses</i>	
07/25/95	A building permit (95875360) was issued for the installation of an Off-Premise Sign (Billboard) at 3500 North Rancho Drive. The permit was finalized on 02/21/96.
02/20/96	A building permit (96003424) was issued for electrical service to the sign at 3500 North Rancho Drive. The permit was finalized on 02/21/96.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
12/02/08	Staff conducted a field inspection of the subject site with the following observations: <ul style="list-style-type: none"> • There was no graffiti or bird nuisance present on the support structure or the display panels of the sign. • All structure elements were properly screened.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.30

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant buildings	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
South	Church	GC (General Commercial)	C-2 (General Commercial)

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East	Mobile Home Park	O (Office)	O (Office)
West	Garage, Minor Auto Repair	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (70 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not in public right-of way	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located in the C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet in size and has no embellishment	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall.	Y

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Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the sign are adequately screened from public view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is not located along US-95 and is more than 300 feet from another Off-premise Sign.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any “R” or U” zoned districts.	Sign is more than 300 feet from property zoned for residential use.	Y
Other	All Off-premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is not located on property used for residential purposes.	Y

ANALYSIS

This is the fourth Required Review since the approval of the Special Use Permit (U-0038-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 North Rancho Drive. There have been no significant changes in the surrounding land use since the installation of the sign. During a field inspection of the site, staff found the sign in good condition with no graffiti or bird nuisance problems on the structure, sign, or surrounding ground area. A research of building permit activity found that the billboard was constructed under sign permit #95875360, and received final inspection on 2/21/96 under the address of 3500 North Rancho Drive.

FINDINGS

This sign is located in a C-1 (Limited Commercial) zoning district and is within the Off-Premise Exclusionary Zone, therefore is considered an existing non-conforming sign. Staff finds that there is no adverse impact regarding the continued use of this sign at this time, as there have been no significant changes in development or land use in the surrounding area since its installation; therefore, staff recommends approval, subject to a three-year review.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 205

APPROVALS 0

PROTESTS 0